DIRECTORS' MEETING MONDAY, JANUARY 23, 2006 - 11:00 A.M. CONFERENCE ROOM 113

I. MAYOR

- *1. NEWS RELEASE RE: Mayor Presents Award Of Excellence For November -(See Release)
- *2. Letter from Mayor Coleen Seng to Larry Hudkins, Chair, Lincoln/Lancaster County Public Building Commission RE: 'K' Street Records Facility (See Letter)
- *3. NEWS RELEASE RE: City's 4TH Of July Celebration To Remain At Oak Lake -(See Release)
- 4. NEWS ADVISORY RE: Mayor Seng's Public Schedule Week of January 14 through 20, 2006 -Schedule subject to change -(See Advisory)
- 5. NEWS RELEASE RE: Christmas Tree Recycling Ends Sunday -(See Release)
- 6. NEWS RELEASE RE: Open House Planned On Stormwater Project (See Release)
- 7. NEWS ADVISORY RE: Mayor Seng will have a news conference at 9:00 a.m., 01/18/06 will discuss the plans for the 6th Annual Abraham Lincoln Celebration -(See Advisory)
- 8. NEWS RELEASE RE: Wastewater Maintenance Workers Repair Leaking Manhole -(See Release)
- 9. NEWS RELEASE RE: City's 6th Annual Abraham Lincoln Celebration To Include Lincoln-Douglas Debate (See Release)

II. DIRECTORS

PLANNING

- *1. Memo & Material from Marvin Krout RE: Proposed code amendments to be considered January 23, 2006 (Bill #06-5, Change of Zone #04066; Bill #06R-9, Miscellaneous #04015; and Bill #06-6, Miscellaneous #05007) (See Material)
- 2. Letter from Mike DeKalb to Jill Schuerman, Brian D. Carstens & Assoc. RE: Stevens Creek Pointe 1st Addition Final Plat #05127-Generally located at 134th & Adams Street -(See Letter)
- Letter from Joe Rexwinkle to Marsha Kinning, Brian D. Carstens & Assoc.
 RE: Hartland's View Pointe West 1st Addition Final Plat #05112 Generally located at NW 56th & W. St. Paul Street (See Letter)
- 4. Letter from Joe Rexwinkle to Karen Brouwer RE: Country View Estates 3rd Addition Final Plat #05124 Generally located at S. 53rd & Pony Hill Court (See Letter)
- 5. E-Mail Response from Jean Walker to William Carver RE: Do not support Change of Zone #05078 -(See E-Mail)

PUBLIC WORKS & UTILITIES

1. Memo & Material from Mike Brienzo, Transportation Planning - RE: 2030 Long Range Transportation Plan Update: Public Open House Responses - (Copy of this Material on file in the City Council Office)

URBAN DEV./HOUSING REHAB & REAL ESTATE DIVISION

*1. Interoffice Memo from Clinton W. Thomas - RE: 6th-7th, C-D Alley Vacation - Street & Alley Vacation #05009 North/South Alley, west of Lot 1, Kraus & Schmitts Subdivision - (See Memo)

III. CITY CLERK

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. E-Mail from Nick Cusick, IMSCORP CEO sent to Jon Camp - RE: LES rate proposal -(See E-Mail)

ROBIN ESCHLIMAN

1. Request to Lynn Johnson, Parks & Recreation Director - RE: Center lanes being painted on bike trails (RFI#2 - 11/09/05)

PATTE NEWMAN

 Request to Marc Wullschleger & Wynn Hjermstad, Urban Development/ Marvin Krout & Ed Zimmer, Planning Department - RE: Triplets-serious concerns over the future of Whittier School (RFI#37 - 11/23/05). —
 SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#37 - 12/05/05.

V. MISCELLANEOUS -

- *1. E-Mail from Laura Bell RE: Landscape Ordinance -(Council received copies of this E-Mail on 1/09/06 before Formal Council Meeting) (See E-Mail)
- *2. E-Mail from Doug Rotthaus, REALTORS Association of Lincoln RE: Proceed cautiously with flood standards -(Council received copies of this E-Mail on 1/09/06 before Formal Council Meeting) (See E-Mail)
- *3. E-Mail from Janine Copple RE: Floodplain Ordinance -(See E-Mail)
- *4. E-Mail from Phil Harris RE: Concerning the buffer zone around schools where sex offenders may reside -(See E-Mail)
- *5. E-Mail from Aaron Brown RE: Wal-Mart -(See E-Mail)

- *6. Letter from Tim Knott, Wachiska Audubon Society RE: Proposed floodplain boundary modifications, Salt Creek floodplain -(Council received copies of this Letter on 1/09/06 during their Formal Council Meeting)(See Letter)
- *7. Letter from Richard Saffee, Site Leader, Lincoln Operations, Pfizer Global Manufacturing RE: LES Power Cost Adjustment is an inappropriate and unfair mechanism for allocating price increases and costs -(See Letter)
- 8. E-Mail from Jane Raybould, B&R Stores, Inc. RE: LES Proposed Rate Increase & PCA -(See E-Mail)
- 9. E-Mail on behalf of Kawasaki Motors Manufacturing Co. RE: LES Rate increase (See E-Mail)
- 10. E-Mail from Scott Sandquist RE: Sex offender restrictions (See E-Mail)
- 11. E-Mail from Julie Hankins RE: The Smoking Ban (See E-Mail)
- 12. E-Mail from Dan Haase RE: LES & Future Energy Price Stability (See E-Mail)
- 13. Letter from Kent Seacrest, For the Firm RE: 'K' Street Power Plant (See Letter)
- 14. Letter from Steve Pella, Aquila RE: Gas Utility Costs (See Letter)
- 15. Letter & Material from Lincoln Electric System RE: 2006 LES Legislative Guidelines (See Material)

VI. ADJOURNMENT

*HELD OVER FROM JANUARY 16, 2006.

da012306/tjg

ISORY MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: January 13, 2006

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule Week of January 14 through 20, 2006

Schedule subject to change

Monday, January 16 - CITY OFFICES CLOSED FOR FEDERAL HOLIDAY -DR. MARTIN LUTHER KING, JR. DAY

Dr. Martin Luther King, Jr. Youth Rally - 10:30 a.m., State Capitol, east legislative chamber

Tuesday, January 17

- KLIN 8:10 a.m., 4343 "O" Street
- KFOR- 12:30 p.m., 3800 Cornhusker Highway
- Boy Scout blood drive recognition 5 p.m., Mayor's Conference Room, 555 South 10th Street

Thursday, January 19

- News conference, topics: Volunteer Income Tax Assistance (Human Services Federation) and City's annual Abraham Lincoln Birthday Celebration - 9 a.m., Bennett Martin Public Library (room to be announced), 136 South 14th Street
- YWCA Star Art Project reception 7:30 p.m., Talent +, about 65th Street and Pioneers Boulevard



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Recycling Office, 2400 Theresa Street, Lincoln, NE 68521, 441-7043

FOR IMMEDIATE RELEASE: January 13, 2006

FOR MORE INFORMATION: Gene Hanlon, Recycling Coordinator, 441-7043

CHRISTMAS TREE RECYCLING ENDS SUNDAY

Sunday, January 15 is the last day Christmas trees will be accepted at the Lincoln drop-off sites for recycling. The trees will be ground into wood chips January 19 and 20, and that mulch will be available at no charge at each collection site through February 12. Individuals will need to load the wood chips themselves.

The City Recycling Office reminds residents recycling their trees to remove plastic bags used in transporting and put them in nearby trash cans at the recycling sites. All nails, wires and tree stands must be removed.

Sites to drop off trees and pick up mulch are:

NORTH

- Ballard Park, 3901 N. 66th Street
- Oak Lake Park, 1st and Cornhusker Highway, three blocks south of Cornhusker on 1st Street
- Peter Pan Park, 33rd and "X" streets, east half of parking lot
- University Place Park, 50th and Garland streets

SOUTH

- Holmes Lake Park, parking lot west of the north softball field
- Sawyer-Snell Park, 2nd and South streets, west of the Fire Department Building
- Tierra Park, 29th Street and Tierra Drive
- Woods Park, 31st and "J" streets, southeast corner of the parking lot

Those with questions regarding the tree recycling program or the City's recycling program in general, are urged to call the City Recycling Information Hotline at 441-8215 or see the City Web site at lincoln.ne.gov (keyword: recycling).



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: January 13, 2006

FOR MORE INFORMATION: Kent Evans, Engineering Services, 441-7583

OPEN HOUSE PLANNED ON STORMWATER PROJECT

A public open house is planned for 5:30 to 7 p.m. Tuesday, January 24 on a stormwater improvement project to prevent flooding between 27th and 28th streets near Fair Street. The meeting will be at Clinton Elementary School, 1520 North 29th Street.

Design work is now under way on the project, which will involve replacement of the storm sewer along Fair Street from 24th to 28th streets. The project is funded through the stormwater bond issue approved by voters in 2005.

Participants in the open house will have the opportunity to meet with members of the project team, learn more about the project and give feedback.

Those wanting more information on the open house or on the project can contact Kent Evans with the City Public Works and Utilities Department at 441-7583 or Lisa Behrns with Olsson Associates at 458-5992.

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: January 18, 2006

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-783

Mayor Coleen J. Seng will have a news conference at 9 a.m. Thursday, January 18 on the first floor of the Bennett Martin Public Library, 14th and "N" She will discuss plans for the sixth annual Abraham Lincoln Birthday Celebration February 12. She also will join the Human Services Federation in launching a campaign that offers free income tax assistance, with an emphasis on the Earned Income Tax Credit.



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Wastewater Division, 2400 Theresa Street, 68521, 441-7961, fax 441-8735

FOR IMMEDIATE RELEASE: January 18, 2006

FOR MORE INFORMATION: Randy Wilson, Superintendent of Water Pollution Control,

441-7970

WASTEWATER MAINTENANCE WORKERS REPAIR LEAKING MANHOLE

The Wastewater Division of the City Public Works and Utilities Department repaired a leaking manhole near North 70th Street and Salt Creek on Sunday, January 15. The manhole is located on a pressurized pipeline used to convey digested bio-solids from the Northeast Wastewater Treatment Facility to the bio-solids injection site north of Interstate 80.

The manhole defect was detected by City wastewater officials on Sunday. As a result of the defect, bio-solids were discharged on the ground around the manhole and down the bank of Salt Creek. The duration and volume of this discharge is not known, but officials estimate that several hundred gallons of liquid bio-solids may have entered Salt Creek. Once detected, Wastewater maintenance workers responded immediately, repaired the manhole and cleaned up the site. Officials say there was no visible or reported damage to aquatic life in Salt Creek.

For more information on this notification or the operations of the Lincoln Wastewater System, contact Randy Wilson, Superintendent of Water Pollution Control, at 441-7970.



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: January 19, 2006

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

CITY'S SIXTH ANNUAL ABRAHAM LINCOLN CELEBRATION TO INCLUDE LINCOLN-DOUGLAS DEBATE

Mayor Coleen J. Seng today announced plans for the City's sixth annual Abraham Lincoln Birthday Celebration from noon to 5:30 p.m. Sunday, February 12, the 197th birthday of the 16th President. The celebration is free to the public and will take place again at North Star High School, 5801 North 33rd Street. For the first time, the celebration will include a recreation of a Lincoln-Douglas debate beginning at 2:30 p.m.

"On this one day a year, we give the public an opportunity to learn more about President Lincoln, his accomplishments and the time in which he lived," said Mayor Seng. "We expect a great deal of interest this year in the presentation of one of the historic Lincoln-Douglas debates. We encourage families to come out to North Star for an entertaining and educational afternoon."

Two Illinois actors will be featured in the debate. Michael Krebs will portray Lincoln, and Larry Diemer will portray Stephen Douglas. In 1858, Lincoln and Douglas faced off in a series of formal political debates in a campaign for one of Illinois' two U.S. Senate seats. Lincoln lost that election, but the debates gave him the national exposure needed in his successful bid for the Presidency in 1860. Krebs and Diemer will recreate portions of the three-hour fifth debate, which took place October 7, 1858 in Galesburg, Illinois. They first performed the recreation in Galesburg in 1994 for a live broadcast on C-SPAN, a cable television public affairs channel. More information is available on Krebs' Web site at www.abrahamlincolnperformance.com.

Krebs formed a theatrical company dedicated to performances concerning Lincoln in 1992. He has produced *Visiting the Lincolns* at Gettysburg, the Lincoln Presidential Museum, the Hoover Presidential Library, the Gerald Ford Museum and other sites and had an extended run in Chicago. While working at the Chicago Historical Society, he helped create an online analysis of Lincoln's assassination for the Society's Distance Learning Center. He has appeared on the History Channel (*Conspiracy*) and in the Library of Congress' *Mr. Lincoln's Virtual Library*.

Larry Diemer has been teaching and directing theatre at Galesburg High School since 1976. He has directed, acted in and/or designed more than 100 productions at his school and for the Prairie Players Community Theatre. He also plays in an Irish music band. He has been a technology coordinator for his school district and is working on a doctorate in human performance technology. Diemer first played Douglas after being selected in an open audition for the C-SPAN production.

Abraham Lincoln Celebration January 19, 2006 Page Two

Also on the schedule for February 12:

- The Smith Family Band from Hastings will be back for its fifth year to perform Civil War era music for re-enactors and the public to dance starting at noon. This year, the Smiths will be joined by members of the Roundhouse Band.
- Children can enjoy toys, games and crafts, with storytelling by Greg Welch of the South Branch Library scheduled for 1 and 1:30 p.m.
- Those dressing as President Lincoln can enter the "Impersonators Contest" by registering at the information desk at North Star. Judging is at 1:30 p.m. All ages may enter.
- A birthday party begins at 2 p.m. and includes a mayoral proclamation and Impersonators Contest awards.
- Lincoln musician Chris Sayre will play folk and traditional music in the commons area from 4 to 5:30 p.m.

A variety of Abraham Lincoln exhibits will be on display, and area Civil War re-enactors in authentic uniforms will mingle with the crowd and answer questions. Those attending are encouraged to wear costumes from the era. Refreshments and souvenirs will be available. For more information, see the City Web site at lincoln.ne.gov.

Mayor Seng thanked the community donors who make it possible to offer the event free to the public. A volunteer steering committee headed by Cleve Reeves of Bahr Vermeer and Haecker has planned the celebration. Producers are the City of Lincoln and the Lincoln-Lancaster County Convention and Visitors Bureau.

- 30

UNL HISTORY CHAIR TO PRESENT FREE PROGRAM ON LINCOLN AND THE GREAT PLAINS

In connection with the annual Abraham Lincoln Birthday Celebration, Professor Ken Winkle, Chair of the UNL History Department, will present a program on Lincoln at noon Friday, February 3 in the Steinhart Room at the Lied Center, 301 North 12th. His topic is "The Great Body of the Republic: Abraham Lincoln and the Great Plains." The program is free, and those attending are invited to bring lunch.



CITY OF LINCOLN N E B R A S K A

MAYOR COLEEN J. SENG

lincoln.ne.gov

Lincoln-Lancaster County Planning Department Marvin S. Krout, Director

Jon Carlson, Chair City-County Planning Commission

> 555 South 10th Street Suite 213 Lincoln, Nebraska 68508 402-441-7491 fax: 402-441-6377

January 11, 2006

Ms. Jill Schuerman Brian D. Carstens and Assoc. 601 Old Cheney Road, Suite 'C' Lincoln, NE 68512

RE: Stevens Creek Pointe 1st Addition Final Plat # 05127 Generally located at 134th and Adams Street

Dear Ms Schuerman:

Stevens Creek Pointe 1st Addition located northwest of 134th and Adams was approved by the Planning Director on January 11, 2006. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per existing lot and per new lot and \$20.00 per plat sheet for the plat, and \$.50 per new lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (January 26, 2006), and the recording fee and signed subdivision agreement have been received.

Sincerely, Mike DeKalb Planner

CC: Gerry & Dianne Krieser 5212 Troon Drive Lincoln, NE 68526

City Council
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File

Q:\Boilerplates\FP Approval.wpd





CITY OF LINCOLN N E B R A S K A

MAYOR COLEEN J. SENG

lincoln.ne.gov

Lincoln-Lancaster County Planning Department Marvin S. Krout, Director

Jon Carlson, Chair City-County Planning Commission

> 555 South 10th Street Suite 213 Lincoln, Nebraska 68508 402-441-7491 fax: 402-441-6377

January 18, 2006

Marsha Kinning Brian D. Carstens & Associates 601 Old Cheney Road Suite C Lincoln, NE 68512

RE: Hartland's View Pointe West 1st Addition Final Plat #05112 Generally located at NW 56th and W. St Paul St.

Dear Marsha:

Hartland's View Pointe West 1st Addition generally located NW 56th and W Adams St. was approved by the Planning Director on January 4, 2006. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per existing lot and per new lot and \$20.00 per plat sheet for the plat, and \$.50 per new lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (January 4 + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely, Onto C. Peller

Joe Rexwinkle

Planner

CC: Hartland Homes, Inc.

City Council

Dennis Bartels, Public Works & Utilities

Terry Kathe, Building & Safety Sharon Theobald, Lincoln Electric

Jean Walker, Planning

File



Q:\Boilerplates\FP Approval.wpd



MAYOR COLEEN J. SENG

lincoln.ne.gov

Lincoln-Lancaster County Planning Department Marvin S. Krout, Director

Jon Carlson, Chair City-County Planning Commission

> 555 South 10th Street Suite 213 Lincoln, Nebraska 68508 402-441-7491 fax: 402-441-6377

January 18, 2006

Karen Brouwer 4320 Raymond Road Raymond, NE 68428

RE: Country View Estates 3rd Addition Final Plat #05124 Generally located at S. 53rd & Pony Hill Court

Dear Ms. Brouwer:

Country View Estates 3rd Addition generally located at S 53rd and Pony Hill Court was approved by the Planning Director on January 13, 2006. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per existing lot and per new lot and \$20.00 per plat sheet for the plat, and \$.50 per new lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (January 13 + 14 days) or January 27, 2005, and the recording fee and signed subdivision agreement have been received.

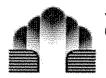
Sincerely,

Joe Rexwinkle, Planner

441-6373

CC: Prairie Home Builders, Inc., Owners
City Council
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File





Jean L Walker/Notes 01/18/2006 08:17 AM

To "williamc" <williamc@team-national.com>

cc Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes, Brian J Will/Notes@Notes, Ann Harrell/Notes@Notes

bcc Jean L Walker/Notes

Subject Re: Do not support Change of Zone No 05078

Dear Mr. Carver:

Thank you for submitting your comments on behalf of the Near South Neighborhood Association, which have now become part of the record. A copy will be submitted to the Planning Commission members at the beginning of today's public hearing for their consideration. The meeting begins at 1:00 p.m.

I am also providing a copy of your comments to Jon Camp and the City Council.

If you have any questions, please feel free to contact me.

--Jean Walker, Administrative Officer City-County Planning Department 441-6365 "williamc" <williamc@team-national.com>



"williamc" <williamc@team-national.co m> 01/17/2006 04:53 PM

To <plan@lincoln.ne.gov>

CC

Subject Do not support Change of Zone No 05078

Dear Planning Commission,

I am writing on behalf of the Near South Neighborhood Association Board. Please do not support Change of Zone No 05078. The current Theater Policy makes a lot of sense and has served Lincoln well in the past and will continue to do so in the future.

Six-screen theaters give newer neighborhoods a great entertainment choice close to home. Keeping Multi-plexes downtown ensures that downtown remains the central entertainment location.

The current policy provides ample entertainment opportunities for new neighborhoods while protecting the health and vibrancy of downtown and our historic neighborhoods.

Please do not support this unnecessary Change of Zone No 05078.

William Carver President NSNA 2202 Washington St Lincoln NE 68502 Tammy J Grammer/Notes

To CouncilPacket/Notes@Notes

01/17/2006 08:14 AM

cc bcc

Subject Fw: LES

---- Forwarded by Tammy J Grammer/Notes on 01/17/2006 08:17 AM -----



campjon@aol.com

01/13/2006 05:34 PM

To tgrammer@lincoln.ne.gov

CC

Subject Fwd: LES

Tammy:

Please share with my Council colleagues.

Jon

Jon Camp Lincoln City Council

City Council Office: 441-8793

Constituent representative: Darrell Podany

----Original Message-----

From: Nick Cusick < NCusick@Bisoninc.com>

To: jcamp@lincoln.ne.gov

Sent: Fri, 13 Jan 2006 14:27:21 -0600

Subject: LES

Dear Jon:

I have followed with interest the current LES rate proposal that is in front of you for consideration.

As a Lincolnbusiness owner, I, of course, am always concerned about increases in any component of our operating cost structure. I do, however, understand the need for LES to pass on legitimate costs including the volatile cost of energy.

This being said, I believe that the current Power Cost Adjustment (PCA) proposal has two primary flaws.

- 1. There is no identified mechanism to monitor the implementation rate of the PCA other than the rate lid. This is probably not appropriate for a Lincolnauthorized monopoly.
- 2. The PCA rate adjustment mechanism places a significantly higher rate increase percent burden on business rate payers. This is inconsistent with historical rate distribution.

I hope that as proposed, you will vote in opposition to the resolution that includes the PCA mechanism. Conceptually, I personally am not opposed to a flexible surcharge mechanism if it can overcome the two flaws that I outlined above.

Nick Cusick IMSCORP CEO

Tammy J Grammer/Notes

01/17/2006 08:16 AM

To CouncilPacket/Notes@Notes

CC

bcc

Subject Fw: LES Proposed Rate Increase and PCA

---- Forwarded by Tammy J Grammer/Notes on 01/17/2006 08:19 AM -----



"Jane Raybould" <jane@brstores.com> 01/16/2006 04:49 PM

To <mayor@lincoln.ne.gov>, <council@lincoln.ne.gov>

CC

Subject LES Proposed Rate Increase and PCA

We are asking that the City Council and Mayor vote no on the proposed PCA. We have all been impacted by the fluctuations in natural gas prices due to a number of variables. Our business must absorb an estimated LES increase of almost 22 - 24% (12% in August 2005 and proposed 10% effective February 1, 2006) in one year that cannot be passed on to our customers, otherwise we would be out of business. We must dramatically cut our expenses in order to be competitive. This in turn impacts our ability to grow and expand as a company. Our concerns are the following:

- 1) There are appropriate public procedures currently in place for LES to bring forward their budgets for approval and/or justification for any rate increase rather than establishing a permanent PCA with no public scrutiny or control and no specific term/timetable for this mechanism.
- 2) The PCA would unfairly burden businesses that already pay power factor penalties if we exceed our demand.
- 3) LES needs to be more pro-active in documenting and achieving a reduction in fixed costs before triggering a self-administering increase of a PCA.
- 4) Other competing local jurisdictions (OPPD and Norris) have kept rates competitive without any increases as natural gas prices continue to drop. We ask that LES hold the line.

We do not object to the 4.5% rate increase but the PCA mechanism that circumvents existing public safeguards is not a fiscally responsible one and is business unfriendly. The current public oversight and controls are appropriate to evaluate any projected increase WITHOUT a PCA.

Thank you for your consideration.

Jane

Jane Raybould

Buildings and Equipment Director

B & R Stores, Inc.

4554 W Street

Lincoln, NE68503

(402) 464-6297

(402) 434-5733 FAX

jane@brstores.com

Tammy J Grammer/Notes

To CouncilPacket/Notes@Notes

01/17/2006 03:54 PM

СС

bcc

Subject Fw: LES Rate Increase

---- Forwarded by Tammy J Grammer/Notes on 01/17/2006 03:57 PM -----



HBaete@lcn.kmmfg.com 01/17/2006 01:53 PM

To council@lincoln.ne.gov

CC

Subject LES Rate Increase

Dear City Council Members:

On behalf of Kawasaki Motors Manufacturing Corp., U.S.A., we write with great concern regarding the proposal from Lincoln Electric System (LES) to adopt a measure which would increase electric rates, referred to as power cost adjustment (PCA). This measure would allow LES to increase rates without the review and approval of the Lincoln City Council.

With Kawasaki being a large power user and consumer of electricity, we feel this request by LES will eliminate their accountability for future rate increase, as well as minimize the City Council's role in regulating electrical rates for all users. The impact of a 10% rate increase (the rate currently being proposed by LES, using the PCA measure), would have a large impact on our annual budget and our ability to compete in the marketplace. We feel this financial impact could possibly affect our employees, as we would be required to adjust our production schedules. These unexpected costs could also affect employee jobs and potential jobs with future facility expansions.

Kawasaki Motors Manufacturing Corp., U.S.A., encourages you to vote against the PCA proposal. We thank you for your consideration and the opportunity to express our concerns.

Shiro Noiri

Rich Grundman

Larry

Younger President

Vice President and Plant Manager

Tammy J Grammer/Notes

To CouncilPacket/Notes@Notes

01/18/2006 09:30 AM

СС

bcc

Subject Fw: Sex offender restrictions

---- Forwarded by Tammy J Grammer/Notes on 01/18/2006 09:33 AM -----



"Scott Sandquist" <scott@sandquistcgi.com> 01/18/2006 08:53 AM

To "Council Members" <council@lincoln.ne.gov>

CC

Subject Sex offender restrictions

Council Members,

Mayor Seng may be correct in that the State Legislature needs to address the restrictions on where sex offenders may live with reagrd to schools, etc.

However, the bottom line is that Lincoln must insure that we do not end up with nothing being done. With Iowa, Omaha and other municipalities making recent restrictions, it is absoulutely crucial that Lincoln follow suit in timely fashion, so that offenders from elsewhere do not flood into Lincoln (as many unfortunate transients have done in recent years due to our lax policies!)

Scott Sandquist

Tammy J Grammer/Notes To CouncilPacket/Notes@Notes

01/19/2006 08:03 AM

cc bcc

Subject Fw: InterLinc: Council Feedback

---- Forwarded by Tammy J Grammer/Notes on 01/19/2006 08:06 AM -----



DO NOT REPLY to this-InterLinc <none@lincoln.ne.gov> 01/18/2006 11:52 PM

To General Council <council@lincoln.ne.gov>

CC

Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for

General Council

Name: Julie Hankins Address: 800 North Columbia City: Seward, NE 68434

Phone: Fax:

Email: juliejo_h@hotmail.com

Comment or Question:

A group of students and myself, Julie Hankins, from Concordia University, in Seward, Nebraska, are doing a Sociology 101 project, and would appreciate all the help we can get from you.

We are doing our project on Groups and Organizations, and we chose to discuss "Smoking Bans in Restaurants and Bars". Since Lincoln has this ban, we thought you would be a good reference for some information that could be useful in our presentation. We would really appreciate it if you could send us some information on how the bans started, and some of the events that took place. Any information that you would be willing to give us would be excellent. I really hope you consider this, and the group and I, are looking forward to learning more about this issue. Thank you for your time, and God Bless.

Julie J. Hankins

Tammy J Grammer/Notes

01/19/2006 08:04 AM

To CouncilPacket/Notes@Notes

CC

bcc

Subject Fw: LES & Future Energy Price Stability

---- Forwarded by Tammy J Grammer/Notes on 01/19/2006 08:07 AM -----



Dan Haase <dh43849@alltel.net> 01/19/2006 06:46 AM

- To "Honorable Mayor C. Seng" <mayor@ci.lincoln.ne.us>, City Council Member <council@ci.lincoln.ne.us>
- cc State Senator Ronald Raikes <rraikes@unicam.state.ne.us>, Honorable Representative Jeff Fortenberry <jeff.fortenberry@mail.house.gov>, Honorable Senator Ben Nelson <senator@bennelson.senate.gov>, Honorable Senator Chuck Hagel <chuck_hagel@hagel.senate.gov>

Subject LES & Future Energy Price Stability

Dear Mayor and Council Member,

Economic justice for our community relies on fair practices that are transparent and relevant. Energy costs are a significant part of economic reality and LES appears to be addressing, with economic due diligence, costs and a strategic plan providing a long range plan required for energy. and thus economic security for our city.

Citizens, whether industrial or residential have become aware of excessive profits realized by oil and gas corporations. Have they responded to Congress to bring those corporations in line with reasonable expectations now expressed at the community level? National policy, state policy and city policies have not been harmonized so economic justice is achieved with ethical and moral discipline.

Paying for what is economically justified is a duty of industry and residents. Definitions of "competitive and reasonable" rate is different than what "rate increases" might be required to adequately adjust for excessive pricing practices now allowed by Congress. To expect LES to adhere to f conduct ignoring the global energy future would be irresponsible and negligent and elected officials too would fail due diligence to ignore excessive burdens realized when national policy allows excessive profits by gas and oil corporations.

While economic heartfelt empathy is extended to a valuable corporate citizens, they too must begin to address how our community can realize greater opportunities when the future is addressed with responsible stewardship that includes investment in the present to assure Lincoln has a comprehensive energy plan and energy portfolio for the future.

Support for LES is critical at this time when difficult decisions must be made. Fortunately those decisions are to sustain and fortify energy security of our city. I hope corporations who feel and fear excessive economic burdens work with state and federal officials to assure city efforts to obtain grants and funding is achieved. Too, Congress must address energy policy so our region, "under blighted" status might be

eligible for assistance so damage from volatile energy pricing is minimized with federal assistance.

Our city, state and federal energy security requires more than criticism. Security needs and wants include comprehensive planning so remedial tactics and long range strategy are addressed through astute and responsible policy making.

It is irresponsible to expect residents to subsidize profits and institute an unfair and perverted national gas and oil with volatility and excessive pricing accepted as "normal". Fuzzy numbers and fuzzy policy reduce transparency and accountability in government, I believe those with "axes to grind" should be sharpening their pens and demanding more from their representatives to Congress and leave our city council with backing needed to approve belt tightening and fair business practices to exist so users are charged fair and equal prices.

kindly,

3612 S 75th; 68506

SEACREST & KALKOWSKI, P.C.

1111 Lincoln Mall, Suite 350 Lincoln, Nebraska 68508-3905

Telephone (402) 435-6000 Facsimile (402) 435-6100 KENT SEACREST
E-MAIL: kent@sk-law.com

DaNay Kalkowski E-mail: danay@sk-law.com

January 16, 2006

JEVEIVE:

JAN 17 2006

OTTY COUNCIL OFFICE

Mayor Coleen Seng Mayor's Office 555 South 10th Street Lincoln, NE 68508

Re: Approving the sale of City property at 9th and K Streets, known as the K Street Power Plant; Purchase Agreement, dated November 3, 2005 between Heathrow Development, LLC and the City of Lincoln; and City Council's December 19th Counter-Offer

Dear Mayor Seng:

Last week Ann Harrell called me inquiring on the potential response date for Heathrow Development to the City Council's Counter Offer regarding the sale of the K Street Power Plant. I told Ann that I knew Matt Maude and Katie Halperin took the holiday season off and were now turning their attention to trying to comprehend the City Council's Counter Offer. I also told Ann that Matt and Katie were going to study the many amendments and resulting nuances of the Counter Offer and I thought they would be in a position to respond to the City by Monday, January 16, 2006.

After reviewing the matter with Matt at the end of last week, their study has led to the need for three additional meetings with some key resource people. One of the meetings does not look like it can be set up until the week of the 23rd of January. Therefore, Heathrow Development should be able to formally respond to the City no later than Monday, January 30, 2006.

Matt and Katie understand the City Council's wishes to learn of Heathrow Development's position quickly. I can assure you Matt and Katie also want to get this matter resolved as soon as possible and there is no intention on their part to delay. If you have questions in the meantime, please feel free to contact Matt, Katie or me.

Very Truly Yours,

KENT SEACREST

For the Firm

cc: City Council Members

Ann Harrell

Joel Pedersen,

City Clerk

Matt Maude

Katie Halperin

Aquila Networks P. O. Box 83008 Lincoln, NE 68501-3008

January 16, 2006



Council Member Ken Svoboda City of Lincoln County-City Building 555 So. 10th St. Lincoln, NE 68508

Dear Council Member Svoboda,

Aquila's gas purchasing strategy has successfully lessened the impact of the higher gas costs for customers so far this winter season, and we have seen a recent decline in the wholesale price of natural gas. Even with that, we know gas costs are higher compared to last year. Aquila continues to be concerned about residents facing the impact of higher energy prices and continues to communicate with customers about conservation and where to find assistance to pay their energy bills.

Last fall, Aquila increased corporate funding of its system-wide Aquila Cares program from \$100,000 to \$500,000 for 100% matching of customer and employee contributions; in addition, the company gave a one-time gift of \$250,000. Nebraska's share of the one-time gift that went directly to the Salvation Army was \$35,000. Aquila recently pledged an additional \$125,000 of funding to match employee and customer contributions. With that increase, the total program's impact will be \$1 million including customer, employee and company contributions.

Aquila has also taken additional steps to promote increased customer contributions to help those in need pay their energy bill. We added a donation check box on customer bill stubs to make it more convenient for customers to contribute. A pilot Round-Up program is being launched that allows customers to "round-up" their bill to the next higher dollar as a contribution to Aquila Cares. Messages via bill inserts, advertising, media releases and newsletters will continue throughout the heating season to encourage contributions from our customers. Again, these amounts will be matched by Aquila.

Aquila employees support Aquila Cares, including the opportunity to do so through payroll deduction. Our natural gas suppliers and vendors were also solicited for contributions.

Aquila continues to look for ways to help customers in need. We have a multi-state company team to develop and implement new, creative ideas to help make energy more affordable. Their ideas led us to sponsor and participate in numerous programs including community partnerships, weatherization and conservation seminars, and communication regarding the Earned Income Tax Credit. A list of those initiatives is shown on the attached informational sheet.

I look forward to a continuing dialogue on these important issues and welcome your additional ideas on how we may work together to establish and further programs to aid Nebraskans. You are welcome to contact me anytime at 402-437-1725 or Jan Davis, Nebraska's External Relations Manager at 402-935-4868.

Sincerely,

Steve Pella

AQUILA ENERGY AFFORDABILITY INITIATIVES

Agency and Community Partnerships

Aquila has a long tradition of partnership with energy assistance agencies in Nebraska. Each year, we participate in informational/training meetings with agencies to prepare for the heating season. These relationships are maintained and fostered throughout the year so that communication continues in an open, timely and cooperative manner.

Aquila is partnering with other utilities and agencies to pilot a state-wide fund-raising effort for all energy assistance programs in the state. The goal of the program is to raise funds while educating the public and garnering support for the existing assistance programs. We are working to allow assistance agencies access to the company's account information to provide a faster and easier process that would ultimately increase funds to our Nebraska customers.

Energy Assistance Funds

Aquila increased the company's contribution to the HeatShare program, administered by the Salvation Army. In turn, the Salvation Army distributes funds directly to those in need.

Weatherization and Conservation

We are collaborating with other Nebraska utilities to make presentations at local senior centers and service organizations to educate customers about natural gas pricing and energy efficiency. We are providing educational materials and making presentations to state senators and city councils on natural gas pricing and assistance available to customers.

Service Continuation Policies

Aquila encourages customers who have been disconnected for non-payment to participate in our budget billing program or make agreements to spread out their payments. In December, Aquila adjusted monthly bills for gas customers on the budget plan to reflect the projected cost of natural gas this winter. The 40 percent adjustment is designed to prevent customers from facing even higher bills as we come out of the winter.

Fixed Price Option

We filed with the Nebraska Public Service Commission (PSC) for a pilot program to expand to all Nebraska customers the choice program currently offered to our Lincoln customers. The program offers customers an option to lock in gas costs at a fixed rate for one year to reduce the variability inherent in buying gas. That choice is in addition to the traditional method of billing gas based on month-to-month pricing from our gas purchasing practices. Approval by the PSC is required before this new pricing choice can become effective.

Encouraging Conservation

We are working to eliminate barriers that obstruct active support for conservation measures for our customers. Eliminating these barriers should allow the company and customers to partner to reduce gas usage and ultimately ensure that our customers get the most value from natural gas.

Specific Conservation Programs

We intend to pursue specific programs to assist low-income homeowners with energy conservation. We have experience in developing and managing similar programs in other states. Such programs need approval by the PSC.

Other Company and Employee Efforts

Aquila supports with contributions and volunteers many organizations that help low-income individuals. These efforts include Paint-A-Thons, Food Bank drives, Adopt-A-Family programs, and support for various social service & action agencies. In addition to these efforts, Aquila will promote the federal Earned Income Tax Credit program on our Web site (www.aquila.com), as well as in bill messages and our customer newsletter. The credit is for low-income workers who file a tax return. It reduces the tax an individual owes and may result in a refund.

JAN 17 2006 any counch



LINCOLN ELECTRIC SYSTEM

January 17, 2006

Ken R. Svoboda, Chair Lincoln City Council Members of the Council 555 South 10th Street Lincoln, NE 68508

.ECEIVE.

JAN 19 2006 STY COUNCIL

Dear Chair Syoboda and Council Members:

Annually we review key policy areas that may be the subject of legislation on a national, state, or local basis that are of concern and importance to the electric power industry and Lincoln Electric System (LES). Our Legislative Guidelines for 2006 were reviewed and approved by the LES Administrative Board at their regular meeting on December 16, 2005. A copy of the Legislative Guidelines is enclosed for your reference. These guidelines direct LES staff in interpreting and responding to legislative and regulatory issues as they arise.

As Vice President & Assistant Counsel to the Administrator and CEO at LES, I am responsible for coordination and response in legislative and regulatory areas. I also serve as the LES liaison to the City Lobbyist, Jack Moors, and to the City Attorney's office. I provide them with LES' input on issues that may affect us as a principal public employer, but may not be specifically energy-related.

We would be happy to meet with you at any time during the year to further update you on our key local, state, or national concerns.

Sincerely,

Shelley R. Sahling-Zart

Vice President

& Assistant Counsel

SRS:al

Enclosure

 Terry Bundy, Administrator and CEO Paul O'Hara, City Lobbyist
 Dana Roper, City Attorney
 Mayor Coleen Seng



2006

LINCOLN ELECTRIC SYSTEM LEGISLATIVE GUIDELINES

The Lincoln Electric System (LES) Administrative Board and staff recognize that state and federal legislation and regulations on a wide variety of issues can impact LES customer/owners. These Legislative Guidelines are established and adopted by the LES Administrative Board.

LES' mission is to provide energy and services of superior value and enhance growth and development of the greater Lincoln area. In order to further our mission, LES must actively monitor and participate in the legislative and regulatory processes that impact, or may impact, LES operations and customers.

These Guidelines identify areas of key concern on a local, state, and national policy basis. LES must assume an active and responsible role in these issues to represent and protect the interests of its customer/owners. These Guidelines also provide general identification and guidance for LES staff and information on our positions to the general public.

The Guidelines specifically address legislative and regulatory issues on a policy basis. Some of these issues are of temporary concern, but many are regularly scrutinized by judicial, legislative, and regulatory bodies and require continuous review.

The LES Executive Team will 1) monitor local, state, and federal legislative and regulatory actions pursuant to these Guidelines, 2) take actions to preserve or advance these values, and 3) report developments concerning them to the Board's Legislation and Government Affairs Committee and to the LES Administrative Board.

These Guidelines are available to anyone upon request. They are routinely distributed to legislative and regulatory agencies, elected and appointed officials, trade associations, and other community interest groups.

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1. <u>Electric Utility Restructuring & Competition</u>

- LES does not support a federal mandate on competition. However, if such a mandate is considered, LES can only support a flexible mandate that empowers individual states to develop the details of their competitive structure or to opt out of the mandate if, through a public process, they determine that such a structure would not benefit their residents.
- LES supports the concept of federal electric utility industry restructuring provided it benefits LES customer/owners and is consistent with the following objectives:
 - 1) That both regional and individual utility reliability are not compromised;
 - 2) That the benefits of competition accrue equitably to customer owners;
 - 3) That there are safeguards against abuses in marketing power;
 - 4) That protects utility investments in infrastructure;
 - 5) That there is consideration to preserve cost-effective environmental, energy efficiency, and consumer protection goals; and
 - 6) That universal service obligation is recognized; and
 - 7) That the benefits of public power be preserved to the extent practicable.
- LES continues to support the "condition-certain" approach to statewide competition as outlined in LB 901 adopted by the Nebraska Unicameral in the 2000 legislative session.
- LES opposes repeal of the Public Utility Holding Company Act (PUHCA) unless other adequate and appropriate consumer protection measures are implemented concurrent with or prior to its repeal.

2. Environment

2.1 Clean Air

LES supports implementation of federal clean air regulations in a manner that will achieve and maintain emission reductions while providing planning certainty for electric utilities and equal opportunity for economic growth in all regions. A direct, well-defined, long-term regulatory environment that allows planning, cost-effective resource choices and a stable energy environment for our customers is essential.

- LES supports state clean air initiatives that are no more stringent than federal standards.
- LES supports restraint in the application of New Source Performance Review for existing facility modifications where efficiency and economic benefits are possible.
- LES supports cost-effective utilization of Best Available Control Technology (BACT) to achieve air emissions reduction.
- LES supports federal or international protocols that are economically feasible, based on sound scientific data, and applicable to all countries, including developing countries.

2.2 Electromagnetic Fields

LES supports continued and additional research to determine the impact on human health, if any, of magnetic fields produced by power lines, household appliances, and other electrical devices.

2.3 Hazardous Materials

- LES supports adoption at the state level of legislative and regulatory requirements for the handling of hazardous materials that are no more stringent than federal requirements.
- LES supports interstate cooperation and planning for the safe, orderly, and environmentally responsible disposal of solid and hazardous wastes.
- LES supports "Hazardous Waste" designation and disposal requirements that are based on scientific evidence.

2.4 Wildlife and Environmental Protection

LES supports scientific review of federal, state, and local wildlife and environmental protection regulations to assess their effectiveness and validity in preserving wildlife and natural or ecologically sensitive areas while balancing the necessity of providing for basic human services.

3. Financial

3.1 Insurance Pooling

LES supports the principle of allowing Nebraska's political subdivisions to participate in self-insurance pools, either locally or nationally, if such participation would provide sufficient liability protection and be cost-effective for LES customer/owners.

3.2 Taxes

- LES supports tax policy that does not inordinately burden the public power industry or its customer owners either directly or through fuels and production taxes. LES does LES does not support taxes on electricity for the purpose of funding non-energy related programs or purposes.
 - LES, a non-profit public entity, pays a revenue tax in lieu of property tax and general sales taxes that are comparable to or exceed those paid by private business.
 - Electric energy and generation fuels should not be taxed in a manner that would destroy this positive advantage that public power provides.
- LES supports statutory and constitutional changes to require that all retail electric suppliers doing business in the State make an in-lieu-of-tax payment or gross revenue payment based on sales derived within the State.

3.3 Tax-Exempt Financing

LES supports continuation of cost-effective access to capital markets for tax-exempt financing, without undue restrictions.

4. Intra-Industry Dispute Resolution

LES supports the coordination of all public power legislation and regulations and the resolution of intra-industry disputes through the Nebraska Power Association or Mid-Continent Area Power Pool Alternative Dispute Resolution process whenever possible.

5. Personnel Issues

5.1 Health and Safety

LES supports developing safety and health policies, procedures, and practices that comply with the primary, substantive requirements of the Occupational Safety and Health Administration (OSHA). It is our preference, however, that the exemption from OSHA for governmental entities continue.

5.2 Human Resources

LES supports legislation and regulations that enhance benefits that can be provided to LES employees on a nondiscriminatory basis without excessive administrative costs or paperwork, but opposes legislation at the state level mandating benefits beyond those required under federal law.

6. Power Supply

6.1 Fuels

- LES supports federal and state legislation and/or regulations that foster competition and eliminate artificial pricing structures within the railroad and natural gas industries in order to ensure the lowest compensatory fuel rates for all consumers.
- Regardless of whether competition exists, LES supports legislation or regulation to require railroads to disclose their actual costs to provide shipping services and to charge shipping rates that are fair, reasonable, and non-discriminatory while allowing a reasonable rate of return in relation to the actual costs.
- LES supports captive shipper access to rate component and structure information that is tendered in competitive rate situations.
- LES supports repeal of laws that exempt the railroad companies from antitrust injunctive damages and damage remedies.

6.2 Federal Hydropower Preference

- LES supports retention of existing federal preference laws, the federal power marketing agencies, and protection of power users' interests in multi-purpose projects. LES opposes an open auction of the federal PMAs to the highest bidder. If Congress determines to sell the PMAs, LES can only support sale or transfer of the PMAs to current preference customers.
- LES supports river operating procedures and practices that adequately consider the importance of renewable hydro power on electric system reliability and the regional economy as well as for operation of thermal power plants along rivers.

6.3 Federal Power Rates

LES supports retention of wholesale rates based upon costs of construction, interest and amortization established for each facility at the time of introduction to the power system. Rates for peaking power should reflect its resource utilization and value relative to firm load pattern service.

6.4 Non-Utility Generation

LES supports electrical interconnections between existing utility systems and qualifying cogeneration, small power production, and other non-utility generation facilities, as administered by policy guidelines adopted by the LES Administrative Board, as well as regional transmission organizations, and the North American Electric Reliability Council.

6.5. Nuclear

- LES supports the cooperation of federal, state and local officials in ensuring that stringent safety precautions and monitoring are undertaken to assure compliance with all federal regulations for the generation of nuclear energy, the transport and storage of spent nuclear fuel, and disposal of low-level radioactive waste from Nebraska's two major nuclear plants.
- LES supports state or federal direction to provide for the safe, efficient, and cost-effective disposal of low-level radioactive wastes.

6.6 Renewable Resources

- ▶ LES supports continued research on renewable resources, including Nebraska opportunities, and development of renewable resources in Nebraska as they become economical.
- LES supports voluntary pricing programs that allow customers who support renewable resource development to voluntarily contribute an incremental amount over their electric bill toward the purchase or development of renewable energy resources, but opposes mandatory renewable energy portfolio standards that are not cost-effective to LES customer owners.
- LES supports the concept of net billing for customer-generated renewable energy provided that:

- a) Only the power supply component of the rates is net billed, not the transmission and distribution component in order to properly account for the appropriate offset in costs:
- b) The energy net billed is matched to generation production; and
- c) There is a sunset provision based upon a specified saturation level of kilowatts installed.
- LES supports continued federal funding of the Renewable Energy Production Incentive program at or above current funding levels in order to promote continued investment in renewable energy programs.

6.7 Resource Planning

- LES supports individual utilities and their governing bodies retaining responsibility for the planning and implementation of resources, using sound Integrated Resource Planning techniques to satisfy their load requirements in a cost-effective manner that is consistent with local public policy.
- LES supports Integrated Resource Planning processes based on sound, local costs and which exclude arbitrary adders and externalities.
- LES supports continued research and demonstration in distributed generation technologies, such as fuel cells, microturbines, and photovoltaics, among others.
- LES supports participation in power supply and transmission coordination on a regional and state basis to: a) enhance the reliability of the state and regional interconnected systems, b)identify future power supply resource options, c) optimize existing resources, and d) facilitate the economical sale and exchange of energy.

6.8 Transmission Access

- LES supports broad access to transmission for wholesale transactions that meets the following requirements:
 - a) Transmission rates that have a relationship to costs and reflect the type of service requested with non-firm or curtailable rates lower than firm capacity rates; and
 - b) North American Electric Reliability Council (NERC) reliability guidelines and operating practices are followed.

- LES supports the development of independent regional transmission organizations (RTOs) that foster open access to wholesale power markets and efficiently manage the national and regional transmission system.
- LES supports the full recognition of existing transmission agreements and contracts and preservation of the physical transmission rights. These "grandfathered" arrangements represent a fundamental and long term economic benefit to LES customers.
- LES supports expansion of FERC's authority to facilitate the planning and expansion of transmission to meet the needs of load-serving entities to serve current and future native loads.
- LES supports federal legislation regarding RTOs if it is a) applicable to all existing and developing transmission organizations, b) provides a mechanism to contain the organizational, capital, and operating costs of RTOs, and c) mandates RTO stakeholder participation and authority at the board of director level.

6.9 Wholesale Power Markets

- LES supports the development of competitive wholesale power markets that lead to commodity based pricing of electricity.
- LES supports open access to infrastructure to stimulate the marketing of electricity as a commodity including viable trading hubs, removal of transmission barriers, and regional transmission organizations (RTOs). While recognizing that some price volatility is inherent in the developing electricity markets, LES remains concerned that some price spikes may be the result of market manipulation and transmission constraints that are allowed to persist to capture inordinate market power.
- LES supports mandatory supply adequacy for both planning and operating reserves.

7. Products & Services

7.1 Communications

- LES supports the ability of municipalities to utilize municipal infrastructure to provide telecommunication services and opposes legislation that prohibits municipalities from providing such infrastructure and service in their communities.
- LES supports open access by any entity to public utility communications infrastructure and partnerships with other providers to enhance the reliability and breadth of communications services to consumers and to enhance economic development.

LES supports the Utilities Telecommunications Council's (UTC) and the American Public Power Association's (APPA) efforts to oppose all Federal Communications Commission (FCC) spectrum reallocation proposals that adversely affect the reliability of communications systems used by electric utilities.

7.2 Customer Service

- LES supports fair, reasonable, and nondiscriminatory policies that provide customers with due process, adequate time, and consideration of individual circumstances in the payment of electric bills.
- LES supports utility cooperation in assisting federal, state, and local social service agencies that provide financial assistance for essential energy needs.

7.3 Economic Development

LES supports activities that recognize the positive role public power plays in any effort to enhance economic development in the Lincoln area and throughout Nebraska.

7.4 Energy Conservation

- LES supports continued promotion of energy conservation, upgraded equipment efficiencies, and demand side management, through rate design, thermal and lighting efficiency standards (indoor and outdoor), customer incentives, utility loans, local and national research, customer information and technical assistance.
- LES supports continued research and development of generation technologies with increased efficiencies to control or reduce fuel consumption and emissions.

7.5 Electric Transportation

LES supports continued research and development of an electric vehicle that is practical and cost-competitive.

7.6 Rates/Pricing of Services

LES supports cost-based rates combining embedded and marginal costing principles as applicable. Low cost-based rates represent a major competitive advantage and economic incentive for business and other economic development for the Lincoln area and throughout Nebraska.

LES rates are developed and administered locally in a public environment and reflect, to the extent practicable, the cost of providing service to each class of electric consumer, and to appropriate levels of usage within the class.

8. Public Ownership

LES supports continued public ownership of Nebraska power systems to maintain the low cost, efficient, responsive customer owned systems developed through the past 60+ years.

9. Public Partnerships

LES supports the continued ability of public entities to create joint ventures with both public and private entities with the authority to plan, develop, finance, and operate energy projects in their mutual interests.

10. Service Territory

LES supports permitting the orderly expansion of a municipal utility's service area in order to maintain service integrity to existing and developing urban areas and provide service area boundaries that make planning and electrical sense. LES supports fair compensation to a divesting utility that mitigates all reasonable impacts to existing customers and to the utility's power supplier.

(Note: This represents LES' position with regard to the basic principles related to service area adjustments as municipal growth occurs. These principles were incorporated into the LES--Norris Public Power District service area and joint planning agreement under which the parties are now operating.)

Adopted: December 16, 2005

A

ADDENDUM TO DIRECTORS' AGENDA MONDAY, JANUARY 23, 2006

I. MAYOR

- 1. NEWS ADVISORY RE: Mayor Seng's Public Schedule Week of January 21 through 27, 2006 Schedule subject to change (See Advisory)
- 2. NEWS RELEASE RE: Christmas Tree Mulch Now Available (See Release)
- 3. NEWS RELEASE RE: New Projects Announced For "Lincoln Cares"-TierOne Bank Foundation, World's Foremost Bank to match contributions for 4th consecutive year - (See Release)
- 4. Letter & Material from Mayor Coleen Seng to Attorney General Jon Bruning RE: The price of gasoline in Lincoln (See Material)

II. CITY CLERK

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

- 1. E-Mail from Jon Camp to Mayor Seng and Members of the Lincoln City Council RE: 'K' Street Facility (See E-Mail)
- 2. E-Mail from Jon Camp to Wynn Hjermstad, Urban Development Department RE: University Place Redevelopment (See E-Mail)

B. DIRECTORS AND DEPARTMENT HEADS

PLANNING

1. Letter from Jean Walker to Jon Camp - RE: Change of Zone #05078 (Text amendment relating to Theater Policy) - (See Letter)

C. MISCELLANEOUS

- 1. E-Mail from Douglas Rotthaus, REALTORS Association of Lincoln RE: Opposed to Proposed Landscape Design Standard -(See E-Mail)
- 2. E-Mail from Lynn Darling RE: New streetscaping (See E-Mail)
- 3. E-Mail from Richard Sutton, Ph.D., Registered Landscape Architect RE: Landscape Ordinance Revisions (See E-Mail)
- 4. E-Mail from Jodi Delozier RE: Deny the LES raise increase/surcharge (See E-Mail)
- 5. E-Mail from Tadd Delozier RE: Against the LES rate hike -(See E-Mail)

daadd012306/tjg



SORY MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: January 20, 2006

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule Week of January 21 through 27, 2006 Schedule subject to change

Saturday, January 21

Volunteer at Food Share - 7:30 a.m., 4th Presbyterian Church, 5200 Francis

Community Learning Center School Neighborhood Advisory Council Summit, remarks -8:30 a.m., Huntington Elementary School, 2900 North 46th Street

Lunar New Year Celebration, remarks - 11 a.m., Malone Community Center, 2032 "U" Street

Monday, January 23

International visitors from Brazil, five students and teacher - 9:30 a.m., Mayor's Conference Room, 555 South 10th Street

Mayor's Award of Excellence, present award - 1:30 p.m., Council Chambers, 555 South 10th Street.

Tuesday, January 24

Youth Leadership Lincoln, remarks - 2 p.m., State Capitol, Room 1023

Wednesday, January 25 through Friday, January 27

Attending U.S. Conference of Mayors Meeting, Washington, D.C.



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln,ne.gav

PUBLIC WORKS AND UTILITIES DEPARTMENT

Recycling Office, 2400 Theresa Street, Lincoln, NE 68521, 441-7043

FOR IMMEDIATE RELEASE: January 20, 2006

FOR MORE INFORMATION: Gene Hanlon, Recycling Coordinator, 441-7043

CHRISTMAS TREE MULCH NOW AVAILABLE

Wood chip mulch is now available free of charges at all of the City's Christmas tree recycling sites through February 12. This year, the tree recycling program collected about 4,000 trees. Since the program began in 1987, the City has recycled more than 168,500 Christmas trees.

"I want to thank citizens for again taking their trees to the recycling sites," said Gene Hanlon, City Recycling Coordinator. "The success of the tree recycling program depends on community cooperation and the support of several other organizations. Members of the Lincoln Solid Waste Management Association collect trees at the curb. The City Parks and Recreation Department, the City Public Works and Utilities Department, Mr. Amoto Tree Services and the Lincoln Electric System all play key roles in the program."

Individuals will need to load and transfer the wood chips themselves. Any mulch remaining after February 12 will be used in the City's yard waste composting program. Sites to pick up mulch are:

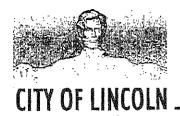
NORTH

- Ballard Park, 3901 N. 66th Street
- Oak Lake Park, 1st and Cornhusker Highway, three blocks south of Cornhusker on 1st
- Peter Pan Park. 33rd and "X" streets, east half of parking lot
- University Place Park, 50th and Garland streets

SOUTH

- Holmes Lake Park, parking lot west of the north softball field
- Sawyer-Snell Park, 2nd and South streets, west of the Fire Department Building
- Tierra Park, 29th Street and Tierra Drive
- Woods Park, 31st and "J" streets, southeast corner of the parking lot

Those with questions regarding City's recycling program, are urged to call the City Recycling Information Hotline at 441-8215 or see the City Web site at lincoln.ne.gov (keyword: recycling).



NFRRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: January 20, 2006

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Lynn Johnson, Parks and Recreation Dept., 441-8265 Susan Larson Rodenburg, Lincoln Cares, 421-1401

NEW PROJECTS ANNOUNCED FOR "LINCOLN CARES"

TierOne Bank Foundation, World's Foremost Bank to match contributions for fourth consecutive year

Mayor Coleen I. Seng announced today that the Lincoln Cares program will help fund eight projects across the community in 2006, including an addition to the Nature Center Prairie Building in Pioneers Park. Lincoln Cares is a community donation program that gives Lincoln Electric System (LES) customers an opportunity to voluntarily add one dollar to their bill payments each month for projects not included in the City budget.

"The Nature Center is a City treasure that has served the community, including thousands of school children, for more than a decade," said Mayor Seng. "The Prairie Building addition project will provide more classroom and exhibit space to further expand the Nature Center's ability to teach visitors about Nebraska's natural environment, its creatures, plants and their habitats."

Donations to Lincoln Cares will provide \$25,000 to strengthen the \$398,000 grant application to the Nebraska Environmental Trust for the addition. Other funding partners of the Prairie Building project include the Lower Platte South Natural Resources District, the Lincoln Public Schools Foundation, the Friends of the Pioneers Park Nature Center, the Lincoln Parks Foundation and LES.

In addition to the Prairie Building project, Lincoln Cares will help fund a Sherman Field Baseball Plaza, a shelter at Woods Park, renovation of the historic Rose Garden in Antelope Park, the North 27th Street MoPac Trail Bridge, swimming and recreation program scholarships, a new outdoor adventures program for youth and the Green Team youth employment program. A complete listing of the projects is attached.

For the fourth consecutive year, Lincoln Cares will receive matching funds from TierOne Bank Foundation and World's Foremost Bank (Cabela's VISA credit card operation). From its inception in February 2003 through December 31, 2005, LES customers have donated \$232,671 to the Lincoln Cares program. About 6,563 LES customers donate to the program every month.

Lincoln Cares January 20, 2006 Page Two

TierOne Bank Foundation and World's Foremost Bank have provided a 50-cent match for every dollar contributed, up to \$30,000 each. The total corporate contribution to Lincoln Cares, from February 2003 through December. 31, 2005 equals \$180,000. Total individual and corporate donations to Lincoln Cares since February 2003 is \$412,671.

"Lincoln Cares is a wonderful example of a public-private partnership that is making our community a better place to live," said Mayor Seng. "I want to thank TierOne Bank Foundation and World's Foremost Bank for contributing to this program since its inception. Their participation means that every dollar donated by our citizens essentially doubles."

Since 2003, Lincoln Cares has provided funds for the recently completed Nebraska State Liberty Bell Shelter in Antelope Park; restoration of the Four Wars Memorial and Pioneer Woman sculptures; the Sunken Gardens renovation; the acquisition of prairie and grasslands at Pioneers Park Nature Center; the Park Middle School Teen Center; air conditioning at the Ager Play Center and the Bethany Park Shelter; the Green Team youth employment program; and Parker's Pals swim and recreation program scholarships for low-income youth.

"TierOne is very proud to be one of the original sponsors of the Lincoln Cares program," said Roger Ludemann, Executive Vice President of TierOne Bank. This will be our fourth year of involvement through our TierOne Bank Foundation, and we are very committed to the long-term success of the program."

"The World's Foremost Bank is pleased to once again be a corporate sponsor for Lincoln Cares," said Tom Boatman, Chief Operating Officer and Interim President of World's Foremost Bank. "The many projects and programs that have been completed would most likely not have occurred without Lincoln Cares. As a wholly owned subsidiary of Cabela's, we are especially excited to be a part of the 2006 scholarship program to promote outdoor activities. The success of Lincoln Cares shows that Lincoln truly does care."

"We are very thankful for everyone who supports this program," said Lynn Johnson, Director of the Lincoln Parks and Recreation Department. "With our tight budget, this program allows us to go the extra mile to keep the parks system one of the jewels of Lincoln."

To donate to Lincoln Cares, LES customers can add one dollar to their bill payments each month. Those who pay LES through automatic bank billing can add Lincoln Cares to their payments each month by calling LES at 475-4211. Automatic bank bill customers may discontinue their voluntary contributions to Lincoln Cares at anytime by notifying LES.

For more information on Lincoln Cares, contact the Lincoln Parks and Recreation Department at 441-8264 or see the City's Web site at lincoln.ne.gov (keyword: cares).

2006 Lincoln Cares Projects

Addition to the Nature Center Prairie Building at Pioneers Park - \$25,000.

The Nature Center at Pioneers Park includes two small facilities – the Chet Ager Building in the woodlands and the Prairie Building on the edge of the prairie. This project would add 3,500 square feet to the Prairie Building at a total cost \$750,000. The Lincoln Cares donation will be used to strengthen the \$398,000 grant application to the Nebraska Environmental Trust. Other funding partners include the Lower Platte South Natural Resources District, the Lincoln Public Schools Foundation, the Friends of the Pioneers Park Nature Center, the Lincoln Parks Foundation and the Lincoln Electric System.

Parker's Pals Swim Program Scholarships - \$10,000.

Through a partnership between the Red Cross and Lincoln Parks and Recreation, scholarships for swimming lessons are provided to children from low-income families. Funding also will provide swim passes for these families and partial scholarships for participation in the Parks and Recreation swimming and diving team program.

Parker's Pals Recreation Program Scholarships - \$10,000.

Scholarships will be provided to young people from low-income families for before-school and after-school programs, summer day camps, youth sports programs and therapeutic recreation programs.

Outdoor Adventures Program for Youth (new) - \$30,000.

The Outdoor Adventures Program will provide an opportunity for hundreds of low-income youth to learn basic outdoor sports skills through participation in classes, clubs, leagues and special events. Sports will include fishing, marksmanship, archery, camping, geocaching and more.

Green Team - \$6,000.

Lincoln Parks and Recreation offers a summer youth employment program for low-income and at-risk youth who are 13 to 15 years of age. The program emphasizes job-training skills including preparing job applications, interviewing, reporting to work and completing assigned tasks. Participants assist in park maintenance activities, playground construction and summer day camp programs. Participants are employed six hours per day during three-week sessions. Lincoln Cares funding will be used to pay program participants for one three-week session.

Woods Park Shelter - \$15,000.

The park shelter in Woods Park was razed a number of years ago due to deterioration and ongoing vandalism. The recently adopted master plan for Woods Park includes placement of a picnic shelter in the center of the park near the playground as a priority project.

Sherman Field Baseball Plaza - \$25,000.

In 1998, the grandstand structure and bleachers were renovated at historic Sherman Field, Lincoln's premier amateur baseball facility. However, the restrooms, concession area and admissions gate are in poor condition. The Plaza design would include the renovation or replacement of these features to make Sherman Field a fully usable ballpark for players and the public. The total cost of the project is estimated to be about \$300,000. Lincoln Cares funding will contribute to a private fund-raising effort including grants and donation requests.

Renovation of the Antelope Park Rose Garden - \$10,000.

In the 1940s, an extensive public rose display garden was developed in Antelope Park. The City rose garden moved to Woods Park in the 1960s and returned to Antelope Park in the mid-1990s. The existing rose display garden will be redeveloped and upgraded making it better suited to rose growing and celebrating the garden's historic roots. The redeveloped rose garden will display recent AARS (All American Rose Selections) award-winning roses and class cutting roses. In addition to Lincoln Cares funding, grants and donations will be sought to support redevelopment of the AARS display garden.

Parks and Recreation staff also are proposing to establish a collection of hardy landscape roses in the strolling garden northeast of the existing rose display garden. This garden will provide visitors with an opportunity to view hardy landscape roses well suited for growing in the typical home landscape. Groups of roses will be planted with complementary ornamental grasses and flowering perennial plants. The initial planting of hardy landscape roses was funded in 2005 by a generous donation from HWS Consulting Group.

North 27th Street MoPac Trail Bridge - \$6,000.

The Great Plains Trails Network (GPTN) is partnering with the City of Lincoln to raise the funds needed to construct a bicycle/pedestrian trail bridge over North 27th Street near "Y" Street. GPTN has committed to raise \$125,000, which will go toward the cost of the \$1.76 million project. Officials hope the bridge will be finished in 2007. This bridge will serve as a major connection on the MoPac Trail between Peter Pan Park and the UNL campus. The City applied for \$500,000 in federal grants, and an additional \$1 million could be provided through tax increment financing.



CITY OF LINCOLN N E B R A S K A

MAYOR COLEEN J. SENG

lincoln.ne.gov

Office of the Mayor 555 South 10th Street Suite 208 Lincoln, Nebraska 68508 402-441-7511 fax: 402-441-7120 mayor@lincoln.ne.goy January 19, 2006

Jon Bruning Attorney General State Capitol Building, Room 2115 Lincoln, NE 68509

Dear Mr. Bruning:

AECEIVEL

JAN 23 2006

CITY COUNCIL

OFFICE

Last September 8, 2005 I wrote to you explaining that the price of gasoline in Lincoln had increased radically during the summer sometimes without explanation. As the Lincoln community discusses ways to compensate for the low return the City receives from the state gas tax formula, many residents continue to ask why the price of gasoline in Lincoln is higher than in most other areas of the state.

In my earlier letter I provided a comparison of Lincoln, Omaha and statewide gas prices on the web site "gasbuddy.com" that confirmed what Lincoln residents already knew that gas prices in Lincoln typically are higher than elsewhere. Prices have bounced up and down since I first wrote I remain concerned about how much they have risen above last year. Lincoln residents want to know why the prices at the pump rose so quickly when the price of crude oil changed, and declined so slowly when the price of crude falls or the fear of a crisis subsides.

The information we provided demonstrated that the price of gasoline in Lincoln consistently is higher than the price in Omaha or other Nebraska locations.

I understood that your office was going to conduct a review. It has been three months since that was announced. I would like to know the status of that review and make a public records request for any drafts of the report which is being prepared. While prices have recently fluctuated, Lincoln drivers continue to ask why our local price appear to be higher than the average in the state and Omaha.

Sincerely,

Coleen J. Seng Mayor of Lincoln

enclosures

September 8, 2005 letter to State Attorney General Charts from gasbuddy.com

cc: Lincoln City Council

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Natural Gas Price Chart	Center Rd PM				
Driving Directions	Conoco Omaha - Wed				
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CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

lincoln.ne.gov

Office of the Mayor 555 South 10th Street Suite 208 Lincoln, Nebraska 68508 402-441-7511 fax: 402-441-7120 mayor@lincoln.ne.gov

September 8, 2005

Jon Bruning Attorney General State Capitol Building, Room 2115 Lincoln. NE 68509

Dear Mr. Bruning:

As you know, the price of gasoline in Lincoln has increased radically this summer, particularly in the past few weeks, and sometimes without explanation. As the Lincoln community discusses ways to compensate for the low return the City receives from the state gas tax formula, many residents are asking why the price of gasoline in Lincoln is higher than in other areas.

A comparison of Lincoln, Omaha and statewide gas prices on the web site "gasbuddy.com" confirms what Lincoln residents already know: gas prices in Lincoln typically are higher than they are elsewhere. Lincoln residents are very concerned about these huge price increases. Lincoln residents want to know why the price at the pump rises so quickly when the price of crude oil changes or there is even the hint of a possible crisis, but declines so slowly when the price of crude falls or the fear of a crisis subsides.

I am particularly alarmed in light of the fact that daily gas price hikes have jumped from a couple of cents per gallon each time to more recent leaps of ten cents, twenty cents or more per gallon.

The information below demonstrates that the price of gasoline in Lincoln consistently is higher than the price in Omaha or Nebraska.

Unleaded Gasoline Average Prices

	LINCOLN	OMAHA	NEBRASKA
Today (9-8-2005)	\$3.106	\$2.955	\$3.012
Yesterday (9-7-2005)	\$3.127	\$3.034	\$3.032
One Week Ago	\$3.179	\$3.037	\$3.032
One Month Ago	\$2.296	\$2.268	\$2.310
One Year Ago	\$1.769	\$1.769	\$1.816
-			

Source: gasbuddy.com

On behalf of Lincoln drivers, I ask that the State Attorney General's office conduct a review of local gasoline prices to determine why our local price appears to be consistently higher than the average in the state and Omaha. If the review reveals local prices don't follow the wholesale market changes, or that there is no explanation for unnecessarily higher prices, I ask that the State Attorney General's office please take appropriate action.

Sincerely.

eleen Deug Coleen J. Seng Mayor of Lincoln

cc: Lincoln City Council

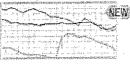
F:\FILES\MAYOR\2005,MayorSeng,Letters,Speeches,Memos\Bruning,Jon,AttorneyGeneral,09-06-2005,GasPrices.wpd



Ne	braska	USA	Trend
Today	3.012	. 3.015	VIIIA Prices
Today Yesterday	3.032	3.050	40 45
One Week Ago	3.032	2.995	
One Month Ago	2.310	2.372	Falling 📜
One Year Ago	1.816	1.831	dis
	anu.		

Pump Price Graphs

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Contest Ends December 11th

This Week's Opinion Poil

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○Yes

⊕ No

○ Not Sure

Vote

View results/past polls

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3.15	1145 Illinois	Sidney	Wed 9:32 PM
3.15	Gas N Shop 10th & Toledo	Sidney	Wed 9:29 AM
3,15	Casey's Casey's	McCook	Tue 8:58 AM
3.14	Gas N Shop 27th St	Scottsbluff	Tue 3:48 PM
3.13	Niobrara Trading Post Hwy 12	Niobrara	Tue 8:31 AM
3.11	Phillips 66 East Hwy. 20	Randolph	Thu 3:19 PM
3.10	All Points Coop Main St.	farnam	Tue 4:01 PM
3.09	Farmers Co-Op 4th & Seward	Seward	Thu 10:34 AM
3.09	Gas N Shop South HYW 15 near Wal-mart	Seward	Thu 10:34 AM
3.09	Conoco 6th & Jackson	Seward	Thu 10:34 AM

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"Consumers working together to save on gas"

3.19	56th & normal		Lincoln - SE	7:42 Al
3.19	Amoco S. 27 & A st.	40.2.11.31	Lincoln - SW	Thu 6:44 Ai
3.19	Phillips 66 S. 48th & Normal	4.G.L.D	Lincoln - SE	Thu 6:43 Af
3,19	Phillips 66 70th & Adams	4523	Lincoln - NE	Thu 3:14 AI
3.19	Phillips 66 56th & Arbor (Exit 405 off I-80)		Lincoln - North	Thu 3:14 Al
3,19	Mobil N 26th & Ticonderoga (E10)		Lincoln - North	Wed 6:39 PI
3.19	Norm's Car Care 40th & A	Security Security	Lincoln - SE	Wed 2:45 PI
3.19	Los Amigos S. 17th & M Sts. (E10)		Lincoln - Central	Wed 12:47 P
3.19	Conoco 70th & Adams		Lincoln - NE	Wed 9:58 Al
3.19	Shop EZ 70th & Colfax	4. iii.ii	Lincoln - NE	Tue 10:14 A
3.19	Conoco Coddington & Capitol Parkway W.	42025	Lincoln - SW	Tue 9:44 Al

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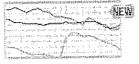
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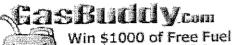
		Omaha	USA	Trend
l٦	Today	2.955	3.015	Prices
١	esterday.	3.034	3.050	1.1003
	One Week Ago	3.037	2.995	113
	One Month Ago	2.268	2.372	Falling 🛴
	One Year Ago	1.769	1.831	Ąr
		umn Price	Graphs	

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○ Not Sure

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	20th St & Missouri Ave (L St.)			8:37 Pt
<u>3.15</u>	Sinclair I-80 & Hwy 31		Gretna	Thu 11:14 A
3.12	BP 30th & Ames	TALLE	Omaha - North	Wed 6:12 Pf
3.12	Phillips 66 30th & Ames	4ETELF	Omaha - North	Wed 6:12 Pf
3.12	BP 24th & Martha	W. Civis	Omaha - South	Wed 8:51 Af
3.11	Sinclair 31st & Ames	4.77	Omaha - North	Wed 6:12 PI
3.09	Mira Star E. Hwy 30	(Gine)	Fremont	Thu 11:45 A
3.09	Sinclair 30th & Martin		Omaha - North	Thu 10:10 A
3.09	BP 30th & Martin		Omaha - North	Thu 10:10 A
3.09	Phillips 66 Abbott Dr & Ave H	The same	Carter Lake	Thu 8:11 AI

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"Consumers working together to save on gas"

Tammy J Grammer/Notes

01/20/2006 01:22 PM

To CouncilPacket/Notes@Notes

CC

bcc

Subject Fw: K Street Facility

---- Forwarded by Tammy J Grammer/Notes on 01/20/2006 01:24 PM ----



joncampcc@aol.com 01/20/2006 01:25 PM

To mayor@lincoln.ne.gov, ksvoboda@alltel.net, robine@neb.rr.com, amcroy@mccrealty.com, JCookCC@aol.com, Newman2003@neb.rr.com, dmarvin@neb.rr.com

cc tgrammer@lincoln.ne.gov

Subject K Street Facility

Mayor Seng and Members of the Lincoln City Council:

During the last year, the K Street Facility has been a front-burner topic.

During the City Council's December meeting, our counter-offer was finalized. Verbal assurances from the Mayor's staff indicated a decision would be made by the end of the year.

With no decision made during the holidays, which is understandable, the City Council was informed by Ann Harrell that a decision by the developers would be made on or before January 16, 2006. Based upon those representations, I made oral comments at the City Council's January 9, 2006 meeting that we would wait to hear on the 16th, but that the City's counteroffer, contained in the ordinance passed in December, needed to have a deadline. Originally I had intended to either offer amendments to the legislation to add a deadline or request reconsideration and insert a deadline.

The City has been informed this week by Kent Seacrest, legal counsel to the Heathrow Developers, that a decision will be made on or before January 30, 2006.

Independently, each of these steps is reasonable. However, put together with the scenario that the building under consideration

- (1) was not originally for sale,
- (2) involves a lease to the Public Building Commission,
 - (a) subleases from the Public Building Commission to the City, County and State,
- (3) the possibility of a 180-day marketing timeframe (if the counter-offer is accepted),
- (4) requires requests for proposal (RFP) for alternative storage space by the PBC,
- (5) has created confusion among the storage tenants, and
- (6) has involved a considerable amount of time by a large number of people to discuss the matter

on the various boards, commissions and staffs. . .

we need to come to a conclusion on this issue.

As we all know, the counter-offer is contained in an ordinance, which can only be changed by amendment of the Council through due process by the Council and Mayor. Considering the possibility of passage and subsequent veto of an amendment, 3-4 weeks additional time could very easily be consumed after January 30, 2006.

To prevent unnecessary frustration, I suggest several parties provide written assurances that the counter-offer will be concluded on or before January 30, 2006. The Heathrow Developers should provide written verification that they will either accept or decline the City's counter-offer on or before January 30, 2006; in the event Heathrow declines the counter-offer, then the sale of the K Street Building is to be ended.

Because our legislative process can be stretched out, I would also appreciate written assurances from the Mayor's office that the K Street matter will be concluded on or before January 30, 2006.

From my standpoint, I want all parties to know that I supported the legislation in December because a "business-like" transaction was created, although we forgot the deadline for acceptance. If the City's counter-offer is not accepted "as is" by Heathrow Devlopers, then it is highly unlikely I will be supportive of any further negotiations. Similarly, I am unlikely to agree to any modification or extentions of the terms should Heathrow accept the counter-offer, but later return to request extensions or other revisions.

Finally, I am alarmed to learn that the State of Nebraska has engaged private consultants to design alternative space.

Thank you,

Jon

Jon Camp

Office: 402-474-1838 Home: 402-489-1001 Cell: 402-560-1001

Email: JonCampCC@aol.com

Tammy J Grammer/Notes

To CouncilPacket/Notes@Notes

01/23/2006 09:08 AM

CC

bcc

Subject Fw: University Place Redevelopment

---- Forwarded by Tammy J Grammer/Notes on 01/23/2006 09:10 AM -----

joncampcc@aol.com

01/23/2006 09:11 AM

To WHjermstad@ci.lincoln.ne.us

cc tgrammer@lincoln.ne.gov

Subject Re: University Place Redevelopment

Wynn:

I still have a major problem proceeding with a new police substation when this was never in our long-range plans. Please know that I will continue to question the propriety of proceeding.

Please keep me informed of details at the earliest possible time. As an elected City Council representative, I am somewhat surprised that I cannot be informed of negotiations.

Jon

Jon Camp

Office: 402-474-1838 Home: 402-489-1001 Cell: 402-560-1001

Email: JonCampCC@aol.com

----Original Message----

From: WHjermstad@ci.lincoln.ne.us

To: joncampce@aol.com

Sent: Fri, 20 Jan 2006 17:05:24 -0600

Subject: Re: University Place Redevelopment

Jon,

All the information you asked for will be included in the redevelopment agreement. Since we are still negotiating, I'm not at liberty to discuss those details yet but as I mentioned in my first response, we're close.

wynn

Wynn S. Hjermstad, AICP
Community Development Manager
City of Lincoln, Urban Development Department
808 P Street, STE 400, Lincoln, NE 68508
phone: 402-441-7606, fax: 402-441-8711

----joncampcc@aol.com wrote: ----

To: WHjermstad@ci.lincoln.ne.us From: joncampcc@aol.com Date: 01/20/2006 02:05PM

Subject: Re: University Place Redevelopment

Wynn:

Thanks for responding.

Do you have financial figures that can be shared on the proposed costs for the northeast police station and detail on the land acquisition, rental rates, and adjacent city-owned property that will be involved?

I would appreciate this at your earliest convenience.

Jon

Jon Camp

Office: 402-474-1838 Home: 402-489-1001 Cell: 402-560-1001

Email: JonCampCC@aol.com

----Original Message----

From: WHjermstad@ci.lincoln.ne.us

To: joncampcc@aol.com

Sent: Thu, 19 Jan 2006 20:07:17 -0600 Subject: Re: University Place Redevelopment

Jon,

Our negotiations are proceeding well. I believe we are getting close to finalizing details for the redevelopment agreement and hope it will be to Council before too much longer.

wynn

Wynn S. Hjermstad, AICP Community Development Manager City of Lincoln, Urban Development Department 808 P Street, STE 400, Lincoln, NE 68508 phone: 402-441-7606, fax: 402-441-8711

----joncampcc@aol.com wrote: -----

To: whjermstad@lincoln.ne.gov From: joncampcc@aol.com Date: 01/15/2006 03:40PM

Subject: University Place Redevelopment

Wynn:

What is the status of the proposed northeast police substation? Jon Jon Camp

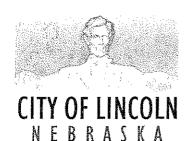
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Lincoln-Lancaster County Planning Department Marvin S. Krout, Director

Jon Carlson, Chair City-County Planning Commission

555 South 10th Street
Suite 213
Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

January 20, 2006

Jon Camp Lincoln City Council

RE: Change of Zone No. 05078

(Text amendment relating to Theater Policy)

Dear Council Member Camp:

On January 18, 2006, the Lincoln City-Lancaster County Planning Commission held public hearing on the above-referenced proposed text amendment and voted 6-2 to recommend denial (Sunderman and Strand dissenting; Pearson absent).

Please be advised that this application will appear on the City Council agenda for introduction on January 30, 2006, and the public hearing will be held on *Monday, February 6, 2006, at 1:30 p.m.*

The Factsheet submitted by the Planning Department to the City Council, which contains the staff report, the minutes of the Planning Commission meeting, all correspondence and any other information submitted on this application, may be accessed on the Internet at http://www.lincoln.ne.gov/city/council/index.htm. The Factsheet will be linked to the respective Council agenda. The Factsheet will also be available in the Planning Department.

Please feel free to contact me if you have any questions or need additional information (402-441-6365) or plan@lincoln.ne.gov.

Sincerely,

Jean Walker

Administrative Officer

I:\pc\notif\action letters\2005-06\act0118.06

cc: Mayor Coleen Seng

City Council

William Carver, Near South N.A., 2202 Washington St., 68502

Don Wesely, 5300 Leighton Avenue, 68504

Mark Hunzeker, P.O. Box 95109, 68509

Polly McMullen, DLA, 1200 N Street, Suite 101, 68508



Tammy J Grammer/Notes

01/23/2006 07:57 AM

To CouncilPacket/Notes@Notes

CC

bcc

Subject Fw: Proposed Landscape Design Standard

---- Forwarded by Tammy J Grammer/Notes on 01/23/2006 07:59 AM ----



"Doug Rotthaus" <DougR@LincolnREALTORS. com>

To <council@lincoln.ne.gov>

CO

01/20/2006 06:26 PM

Please respond to "Doug Rotthaus" <DougR@LincoInREALTORS. com> Subject Proposed Landscape Design Standard

REALTORS® Association of Lincoln

8231 Beechwood Drive · Lincoln, Nebraska68510 · 402-441-3620

January 20, 2006

Dear City Council:

The REALTORS® Association of Lincoln opposes the proposed landscape design standard now under consideration.

The association acknowledges the efforts of the Planning Director and members of his staff who met with us to discuss the proposal. We appreciate the opportunity for input, but after reviewing the proposed draft in its totality, we are convinced the new standards should not be adopted.

We do support the recommended use of administrative waivers to help speed-up the

development process. The waiver-element in the proposal was also part of the Zucker Report and is an excellent idea which deserves implementation. We also welcome the opportunity for further discussion.

The REALTORS® Association of Lincoln opposes the landscape standards as proposed for four main reasons:

- 1. The standards will have negative impacts on new development and job growth by increasing construction costs and land costs.
- 2. The standards will result in excessive maintenance costs over the life of a property.
- 3. The large increase in landscaping will use excessive water resources at a time when we are attempting to conserve those resources.
- 4. The standards will have a negative impact on older commercial areas by hindering redevelopment efforts. The standards will make redevelopment more expensive and thus less appealing to private businesses. Many projects will now be impossible and for others it will significantly reduce the floor-area and parking available.

Increased Construction Costs. At a time when Lincolnneeds to expand the economy and add jobs this proposal makes Lincolna more expensive place for business to locate and expand.

Even though this new proposal calls for 25-percent reduction in "building trees", it increases the number of "parking lot trees" by 66 percent (1/10,000 to 1/6,000), and the amount of "parking lot screen" by 50 percent (60 percent to 90 percent). This dramatic increase in landscaping is excessive and requires more land area for the same number of parking stalls. New developments will be encouraged to provide the minimum number of required parking stalls, rather than to exceed minimum requirements, as many do today.

Lincolnalready produces attractive and safe developments under the existing standards and they should be maintained.

Excessive Maintenance Costs. Trees do not do well in parking lots. Trees also damage parking lots and sidewalks, block visibility and are often damaged by snow removal and traffic. Over the years many of the trees downtown and at Westfield/Gateway Mall have had to be removed.

Under this proposal, the rigid planting guidelines do not allow for the substitution of native grasses and other plants more adaptive and affordable in parking lot environments. Where screening is required, is it questionable that the appearance of shrubbery will be beneficial, say 20 years from now. Good maintenance cannot be guaranteed.

Parking lots are currently behind a 60 percent landscape screen which yields an attractive landscape.

Water resources. Trees and shrubs in parking lots require more frequent watering and often, regardless of the amount of water, do not mature properly because of their inability to form a suitable root structure below non-pervious surfaces. As a result, the cold winter weather can often be fatal even if they survive the parking lot heat during the summer. Additional water for parking lot trees is expensive and a waste of this limited resource.

Hinders Redevelopment Efforts in Older Neighborhoods. Last, but maybe most important to our opposition, is the impact the proposed standards will have on existing areas of Lincoln. The potential negative impact on the reuse of existing commercial property could be substantial.

Many existing businesses in older neighborhoods would not be possible if the new standards were applied to their property, so it is logical to be concerned about future developments.

Redevelopment of commercial areas in older neighborhoods is often a key to their vitality. Consider a dilapidated, commercial property located on a busy neighborhood intersection. Under the proposed standards, there are fewer, if any, new uses allowed; and less incentive to redevelop a small commercial project that will inject new strength into an older neighborhood. By discouraging private investment into older neighborhoods, the neighborhood is often left with an eyesore that lacks the necessary incentive for reinvestment.

On a relatively small project under the proposed landscape standards, a private business would likely have to invest architectural- and engineering-costs just to determine if they might be eligible for an administrative waiver.

Under the proposed standard many of the commercial redevelopment projects over the last 30

years would have been impossible. If this standard had been applied at that time, what would many of Lincoln's older commercial areas look like today had it not been for the redevelopment that took place?

- North 48th & Vine streets (NE & SW corner)
- South 27th & Stockwell streets (west side)
- South 27th & South streets (NE corner)
- South 13th & South streets (SE corner)
- North 1st & Cornhusker Highway(north side)

How many commercial properties will not be redeveloped in the future because the new standards do not allow for an acceptable amount of parking for a business use? As a result what happens to the life of the existing neighborhood as the old commercial building deteriorates? Is the neighborhood left with class-C and class-D commercial tenants?

How does this proposal help 70^{th} & Havelock Ave.or 17^{th} & Washingtonstreets in the future? Or another desirous corner where a required 6-foot setback would project enough into existing parking stalls as to having the effect of taking an entire row (or all) of the available parking? How does this proposal impact the 48^{th} & O Streetredevelopment after the widening of O Street?

In summary, Lincolnis now enjoying some of its best new developments that are attractive, safe and easily accessible. For the reasons stated above, the REALTORS® Association of Lincoln encourages you to support the existing standards and vote against the proposed changes.

Thank you for your consideration.

Respectfully submitted,

Douglas H. Rotthaus

Executive Vice President

Douglas Rotthaus RCE Executive Vice President REALTORS® Association of Lincoln 8231 Beechwood Drive Lincoln, NE 68510 402-441-3625 (voice) 402-441-3630 (fax)

mailto: <u>DougR@LincolnREALTORS.com</u> http://www.LincolnREALTORS.com

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Tammy J Grammer/Notes

01/23/2006 07:59 AM

To CouncilPacket/Notes@Notes

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Subject Fw: new streetscaping

---- Forwarded by Tammy J Grammer/Notes on 01/23/2006 08:01 AM -----



"Lynn Darling" <waterLynn@msn.com> 01/22/2006 06:19 PM

To <council@lincoln.ne.gov>

CC

Subject new streetscaping

To ALL council members:

Mr. Krouts plan for more streetscaping is a plan is long over due. I am thrilled to read in todays paper this proposal I strongly !! ask you to accept. The developers remarks show they have not traveled out of the city very far to see and experience other communities that have increased their livability with their landscaping. I am pleased with the fact YOU the council have the responsibility run this city NOT the developers. Many of you have seen how pleasant other cities can be by their esthetic appearance. This will be the cheapest action you all can take to add quality to our lives here in Lincoln

PLEASE pass this proposal!!!
Thank you Lynn Darling

Tammy J Grammer/Notes

01/23/2006 07:59 AM

To CouncilPacket/Notes@Notes

CC

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Subject Fw: Landscape Ordinance Revisions

---- Forwarded by Tammy J Grammer/Notes on 01/23/2006 08:02 AM -----



Richard Sutton <rsutton1@UNL.EDU> 01/22/2006 07:32 PM

To council@lincoln.ne.gov

CC

Subject Landscape Ordinance Revisions

Council Members-

I urge your support of the landscape ordinance now before you. The ordinance has not had a major update in at least 20 years. The changes proposed are in line with forward thinking communities across the United States which wish to maintain their quality of life and attract economic development that is sustainable. The visible public landscape environment around commercial properties is a common property that belongs to and affects all our citizens. How it looks speaks volumes about the character and quality of a city's citizens and especially its civic and commercial leaders. Landscape is the least expensive of all site development activities and has long-term paybacks. Plants grow in size and value with time, while over improvements will only deriorate. Trees reduce the heat islands created by parking lots and planted areas do not produce the extreme amounts of storm water runoff (e.g. City of Lincoln Havelock Parking demonstration project). Trees reduce glare, and reduce stress for urban residence. Properly selected and placed trees and shrubs along road and parking lots are recognized as traffic calming devices.

Richard K. Sutton, Ph. D. Registered Landscape Architect

Green Streets, Not Mean Streets
Vegetation May Cut Crime in the Inner City

A study of a Chicago public housing development by University of Illinois researchers Frances E. Kuo and William C. Sullivan has found that apartment buildings surrounded by trees and greenery are dramatically safer than buildings devoid of green. The greener the surroundings, the fewer crimes occur against people and property. Compared with apartment buildings that had little or no vegetation, buildings with high levels of greenery had 52 percent fewer total crimes, including 48 percent fewer property crimes and 56 percent fewer violent crimes. Even modest amounts of greenery were associated with lower crime rates. Several factors combine to explain why this is so. Greenery helps people to relax and renew, reducing aggression. Green spaces bring people together outdoors. Their presence increases surveillance and discourages criminals. The green and groomed appearance of an apartment building is a cue that owners and residents care about a property, and watch over it and each other.

The information above comes from (Environment and Crime in the Inner City: Does Vegetation Reduce Crime? *Environment and Behavior.* Vol. 33 No. 3, May 2001. 343-367. © Copyright 2001 Sage Publications, Inc.

Cooler in the Shade

Aggression and Violence are Reduced with Nature Nearby

A study by University of Illinois scientists Frances E. Kuo and William C. Sullivan finds that inner city families with trees and greenery in their immediate outdoor surroundings have safer domestic environments than families who live in buildings that are barren of nature.

The study examined the relationship between the outdoor environment and family violence in a public housing project. Levels of aggression and violence were significantly lower among residents who had some nearby nature outside their apartments than among residents who lived in barren conditions. Mental fatigue was a key factor. The more fatigued a resident was, the more aggression and violence she reported. Residents living in greener apartments were systematically less fatigued than neighbors living in barren surroundings.

Exposure to trees and greenery reduces mental fatigue and feelings of irritability that come with it. The ability to concentrate is refreshed, along with the ability and willingness to deal with problems thoughtfully and less aggressively. It seems that trees and greenery cool more than outdoor temperatures; they help cool tempers as well.

Tammy J Grammer/Notes

To CouncilPacket/Notes@Notes

01/23/2006 08:02 AM

CC

bcc

Subject Fw: deny the LES raise increase/surcharge

---- Forwarded by Tammy J Grammer/Notes on 01/23/2006 08:04 AM -----



<tdelozier@pol.net>

01/23/2006 07:49 AM

To <council@ci.lincoln.ne.us>

CC

Subject deny the LES raise increase/surcharge

Council Members I urge you NOT to allow LES to add on a surcharge or raise their rates another 4.5%. (Wasn't their a rate increase not long ago?) All Lincoln citizens have had to tighten their belts this year; I believe LES can do the same. They can freeze wages if they have to and I am certain that if they look over their own budget with a fine tooth comb they, too, can find places to save rather than hitting the consumer. I am asking you as my representative to deny their request. Thank-you.

Sincerely,

Jodi Delozier Lincoln, NE Tammy J Grammer/Notes

01/23/2006 09:41 AM

To CouncilPacket/Notes@Notes

CC

bcc

Subject Fw: LES rate hike

---- Forwarded by Tammy J Grammer/Notes on 01/23/2006 09:44 AM -----



<tdelozier@pol.net> 01/23/2006 09:45 AM

To <council@ci.lincoln.ne.us>

CC

Subject LES rate hike

Dear Lincoln City Council Members,

I urge you to vote against the LES power cost adjustment and any planned rate hikes that are being discussed currently. You have approved several recent rate hikes for LES's services and the watchful citizen can only wonder when that organization will become more efficient at running its business and you to hold them to it. In reading the paper, LES argues that the skyrocketing natural gas prices are the cause for this request. However, if you look at the facts, current natural gas prices are \$8.50 MMBtu, a six month LOW and down from a peak of \$14 MMBtu over 2 months ago. In fact, the futures suggest continued warm weather and therefore less demand on the cost of natural gas.

If LES can't run an efficient company, then more appropriate measures include investigating the salaries of the upper management and making corrections there. Lincoln citizens cannot continue to pay these ever increasing costs, especially those on a fixed income. The facts are that in Lincoln, we are taxed more than residents of similar cities in the midwest. This includes personal property taxes, sales tax and the ever increasing utility costs. Since we cannot increase our salaries to compensate for the ever-growing financial burden required to be a resident here, it is your job to represent us and vote against this proposed rate hike.

Thank you for your time,

Sincerly,

Tadd Delozier 420-6186